U.S. DISTRICT COURT WESTERN DISTRICT OF LOUISIANA RECEIVED

OCT - 6 2006

ROBERT HERM MWELL, CLERK
BY DEPUTY

## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF LOUISIANA SHREVEPORT DIVISION

JEMETRIC DEBROW

**VERSUS** 

CIVIL NO. 5:03CV2219 JUDGE HICKS MAG. JUDGE HORNSBY

WARDEN, LA STATE PENITENTIARY

## CERTIFICATE OF APPEALABILITY

A final order having been filed in the above-captioned habeas case, the court, considering the record in this case and the requirements of 28 U.S.C. § 2253, hereby finds that:

The certificate of appealability is DENIED because the applicant has failed to demonstrate a substantial showing of the denial of a constitutional right for the reasons assigned in the Report and Recommendation of the Magistrate Judge (Record Doc. 19) previously filed herein.

The certificate of appealability is GRANTED for the below reasons:

The applicant has made a substantial showing that the following issues constitute a denial of a constitutional right:

Signed at Shreveport, Louisiana, this 6th day of October . 2005

S. MAURICE HICKS, JR.
UNITED STATES DISTRICT JUDGE